

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 206 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
 filed in the U.S. District Court Northern District of Alabama on the following ☒ Patents or ☐ Trademarks:

DOCKET NO. 5:07-CV-625-CLS	DATE FILED 4/6/2007	U.S. DISTRICT COURT Northern District of Alabama
PLAINTIFF Avocent Huntsville Corp. Avocent Redmond Corp.		DEFENDANT Aten International, Co., Inc.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 6,957,287	10/18/2005	ATEN International Co., Ltd.
2 7,035,112	4/25/2006	ATEN International Co., Ltd.
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY		
	<input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1			
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3			
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK Sharon N. Harris	(BY) DEPUTY CLERK <i>Angela Hughes</i>	DATE 8/3/07
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

**U.S. District Court
Northern District of Alabama (Northeastern)
CIVIL DOCKET FOR CASE #: 5:07-cv-00625-CLS
Internal Use Only**

Avocent Huntsville Corp et al v. Aten International,
Co., Ltd.
Assigned to: Judge C Lynwood Smith, Jr
Cause: 28:2201 Declaratory Judgement

Date Filed: 04/06/2007
Jury Demand: Plaintiff
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

Avocent Huntsville Corp
an Alabama corporation

represented by **Donald L Jackson**
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Plaintiff

Avocent Redmond Corp.

represented by **Donald L Jackson**
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James D Berquist
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Jill M Browning

(See above for address)

TERMINATED: 08/01/2007

LEAD ATTORNEY

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V.

Defendant

Aten Intenational, Co., Ltd.
a Taiwanese corporation

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Date Filed	#	Docket Text
04/06/2007	<u>1</u>	COMPLAINT against Aten Intenational, Co., Ltd. (Filing fee \$ 350.00 on receipt #500 55504) , filed by Avocent Huntsville Corp, Avocent Redmond Corp.JURY DEMAND.(MNH) (Entered: 04/06/2007)
04/06/2007	<u>2</u>	MOTION for Leave to Appear pro hac vice for Donald L. Jackson, James D. Berquist and J. Scott Davidson by Avocent Huntsville Corp, Avocent Redmond Corp. (MNH) (Entered: 04/06/2007)
04/06/2007	<u>3</u>	PHV Fee paid for Donald L. Jackson, James D. Berquist and J. Scott Davidson \$ 150.00, receipt number 500 55505 (MNH) (Entered: 04/06/2007)
04/06/2007	<u>3</u>	NOTICE of Corporate Disclosure by Avocent Huntsville Corp, Avocent Redmond Corp. (MNH) (Entered: 04/09/2007)
04/09/2007	<u>4</u>	Summons Issued by clerk and del to pla as to Ming-Tao Yang, as an agent for Aten Intenational, Co., Ltd. (MNH) (Entered: 04/09/2007)
04/09/2007	<u>5</u>	Summons Issued as to clerk and del to pla as to Ming-Tao Yang, as agent for Aten Intenational, Co., Ltd. (MNH) (Entered: 04/09/2007)
04/09/2007	<u>6</u>	Summons Issued by clerk and del to pla for service as to Aten Intenational, Co., Ltd. (MNH) (Entered: 04/09/2007)
04/09/2007	<u>7</u>	ORDER granting <u>2</u> Motion for Leave to Appear pro hac vice . Signed by Judge C Lynwood Smith Jr on 4/9/07. (RBG,)

		(Entered: 04/09/2007)
04/09/2007		*** Attorney Donald L Jackson, James D Berquist and J Scott Davidson for Avocent Huntsville Corp and Avocent Redmond Corp. added. (AHI) (Entered: 04/09/2007)
04/11/2007	● <u>7</u>	Alias Summons Issued by the clerk and hand delivered to Plaintiff for Service as to Aten Intenational, Co., Ltd. (AHI) (Entered: 04/11/2007)
04/20/2007	● <u>8</u>	Summons Returned Unexecuted by Avocent Huntsville Corp, Avocent Redmond Corp. as to Aten Intenational, Co., Ltd.. (Rich, J) (Entered: 04/20/2007)
05/09/2007	● <u>9</u>	Summons Returned Unexecuted by Avocent Huntsville Corp, Avocent Redmond Corp. as to Aten Intenational, Co., Ltd.. (Rich, J) (Entered: 05/09/2007)
05/24/2007	● <u>10</u>	WAIVER OF SERVICE Returned Executed by Avocent Huntsville Corp. Aten Intenational, Co., Ltd. waiver sent on 5/14/2007, answer due 7/13/2007. (Parties agreed to 90 days per notation on document)(AHI) (Entered: 05/25/2007)
06/01/2007	● <u>11</u>	MOTION for Leave to Appear Pro Hac Vice of <i>Jill M. Browning</i> by Avocent Huntsville Corp, Avocent Redmond Corp.. (Rich, J) (Entered: 06/01/2007)
06/01/2007	●	PHV Fee paid: (\$ 50.00, receipt number 500 55571) for Jill M. Browning (AHI) (Entered: 06/01/2007)
06/03/2007	●	ORDER granting <u>11</u> Motion for Leave to Appear pro hac vice . Signed by Judge C Lynwood Smith Jr on 6/3/07. (RBG,) (Entered: 06/03/2007)
06/04/2007		*** Attorney Jill M Browning for Avocent Huntsville Corp and Avocent Redmond Corp. added. (AHI) (Entered: 06/04/2007)
07/03/2007	● <u>12</u>	NOTICE of Appearance by G Bartley Loftin, III on behalf of Aten Intenational, Co., Ltd. (Loftin, G) (Entered: 07/03/2007)
07/03/2007	● <u>13</u>	MOTION for Limited Admission <i>Pro Hac Vice of Steven D. Hemminger</i> by Aten Intenational, Co., Ltd.. (Loftin, G) (Entered: 07/03/2007)
07/03/2007	●	PHV Fee paid: (\$ 50.00, receipt number 500 55604) for Steven Hemminger (AHI) (Entered: 07/03/2007)
07/03/2007	●	ORDER granting <u>13</u> Motion for Limited Admission pro hac

		vice . Signed by Judge C Lynwood Smith Jr on 7/3/07. (RBG,) (Entered: 07/03/2007)
07/05/2007	● <u>14</u>	MOTION to Dismiss , <i>Or In The Alternative, Motion to Transfer to the U.S. District Court for the Western District of Washington</i> by Aten Intenational, Co., Ltd.. (Attachments: # <u>1</u> Exhibit Declaration of Ming-Tao Yang# <u>2</u> Exhibit A to Declaration of Ming-Tao Yang# <u>3</u> Exhibit B to Declaration of Ming-Tao Yang# <u>4</u> Exhibit C to Declaration of Ming-Tao Yang# <u>5</u> Exhibit D to Declaration of Ming-Tao Yang# <u>6</u> Exhibit E to Declaration of Ming-Tao Yang# <u>7</u> Exhibit F to Declaration of Ming-Tao Yang# <u>8</u> Exhibit G to Declaration of Ming-Tao Yang# <u>9</u> Exhibit H to Declaration of Ming-Tao Yang# <u>10</u> Exhibit I to Declaration of Ming-Tao Yang# <u>11</u> Exhibit J to Declaration of Ming-Tao Yang# <u>12</u> Exhibit K to Declaration of Ming-Tao Yang# <u>13</u> Exhibit Declaration of Thomas Lin)(Hargett, Douglas) Modified on 7/6/2007 (AHI). (Entered: 07/05/2007)
07/06/2007	●	ORDER setting motion deadline <u>14</u> Motion to Dismiss; plaintiff's response is due on or before 7/20/07 . Signed by Judge C Lynwood Smith Jr on 7/6/07. (RBG,) (Entered: 07/06/2007)
07/06/2007	● <u>15</u>	MOTION for Limited Admission <i>Pro Hac Vice of Ming-Tao Yang</i> by Aten Intenational, Co., Ltd.. (Loftin, G) (Entered: 07/06/2007)
07/06/2007	●	PHV Fee paid: (\$ 50.00, receipt number 500 55609) for Ming-Tao Yang (AHI) (Entered: 07/06/2007)
07/07/2007	●	ORDER granting <u>15</u> Motion for Limited Admission pro hac vice. Signed by Judge C Lynwood Smith Jr on 7/7/07. (RBG,) (Entered: 07/07/2007)
07/20/2007	● <u>16</u>	RESPONSE in Opposition re <u>14</u> MOTION to Dismiss , <i>Or In The Alternative, Motion to Transfer to the U.S. District Court for the Western District of Washington</i> filed by Avocent Huntsville Corp, Avocent Redmond Corp.. (Attachments: # <u>1</u> Affidavit of Christopher Thomas in Support of Avocent's Opposition# <u>2</u> Affidavit of Michael Casey in Support of Avocent's Opposition# <u>3</u> Affidavit of Joseph Hallman in Support of Avocent's Opposition)(Jackson, Donald) (Entered: 07/20/2007)
07/27/2007	● <u>17</u>	MOTION for Leave to File <i>Reply to Plaintiffs' Opposition to</i>

		<i>Aten's Motion to Dismiss, or in the Alternative, to Transfer by Aten Intenational, Co., Ltd.. (Attachments: # <u>1</u> Exhibit) (Hargett, Douglas) (Entered: 07/27/2007)</i>
07/30/2007	●	ORDER granting <u>17</u> Motion for Leave to File Reply. Clerk is directed to file Reply attached to motion for leave. Signed by Judge C Lynwood Smith Jr on 7/30/07. (RBG,) (Entered: 07/30/2007)
07/30/2007	● <u>18</u>	MOTION to Amend/Correct <u>14</u> MOTION to Dismiss , <i>Or In The Alternative, Motion to Transfer to the U.S. District Court for the Western District of Washington Motion to Substitute Declaration of Thomas Lin in Support of Motion to Dismiss, Or in the Alternative, Motion to Transfer to U.S. District Court for Western District of Washington</i> by Aten Intenational, Co., Ltd.. (Attachments: # <u>1</u>)(Hargett, Douglas) (Entered: 07/30/2007)
07/30/2007	●	ORDER granting <u>18</u> Motion to Amend/Correct and allowing substitution of attached Declaration of Thomas Lin in support of defendant Aten International Co., Ltd.'s Motion to Dismiss, or in the alternative, motion to transfer to the U.S. District Court for the Western District of Washington . Signed by Judge C Lynwood Smith Jr on 7/30/07. (RBG,) (Entered: 07/30/2007)
07/31/2007	● <u>19</u>	Defendant, Aten International's REPLY Brief is Support of it's <u>14</u> MOTION to Dismiss or In The Alternative, Motion to Transfer to the U.S. District Court for the Western District of Washington filed by Aten Intenational, Co., Ltd. (AHI) (Entered: 07/31/2007)
07/31/2007	● <u>20</u>	MOTION for Leave to File <i>a Surreply in Opposition to Aten's Motion to Dismiss/Transfer</i> by Avocent Huntsville Corp, Avocent Redmond Corp.. (Jackson, Donald) (Entered: 07/31/2007)
08/01/2007	● <u>21</u>	MOTION to Withdraw as Attorney <i>to the Avocent plaintiffs</i> by Avocent Huntsville Corp, Avocent Redmond Corp.. (Jackson, Donald) (Entered: 08/01/2007)
08/01/2007	●	ORDER granting <u>21</u> Motion to Withdraw as Attorney. Attorney Jill M Browning terminated . Signed by Judge C Lynwood Smith Jr on 8/1/07. (RBG,) (Entered: 08/01/2007)
08/01/2007	●	ORDER granting <u>20</u> Motion for Leave to File Sur-reply;

		Avocent is directed to electronically file its Sur-reply as a separate document no later than 4:30 p.m. on 8/1/07. Signed by Judge C Lynwood Smith Jr on 8/1/07. (RBG,) (Entered: 08/01/2007)
08/01/2007	● <u>22</u>	REPLY to re <u>14</u> <i>Avocent's Sur-Reply to Aten's Motion to Dismiss or Transfer</i> filed by Avocent Huntsville Corp, Avocent Redmond Corp.. (Jackson, Donald) (Entered: 08/01/2007)
08/01/2007	● <u>23</u>	MOTION for Leave to File <i>Reply to Plaintiff's Surreply</i> by Aten Intenational, Co., Ltd.. (Attachments: # <u>1</u>)(Hargett, Douglas) (Entered: 08/01/2007)